

REC 1636



DOCKET NO.: UPAP-0345

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#12

In Re Application of: David B. Weiner et al.

RECEIVED  
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TECH CENTER 1600/2900

Serial No.: 09/359,975

Group Art Unit: 1636

Filing Date: July 23, 1999

Examiner: W. Sandals

For: COMPOSITIONS AND METHODS FOR DELIVERY OF GENETIC MATERIAL

DATE OF DEPOSIT: February 28, 2002  
I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

Mark DeLuca  
REGISTRATION NO: 33,229

Box ☒ AF

☐ ISSUE FEE

Assistant Commissioner for Patents  
Washington DC 20231

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

1. Submission required under 37 C.F.R. §1.114

☐ Previously submitted

☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on @@ (Any unentered amendment(s) referred to above will be entered).

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on @@.

☐ Other: @@.

☒ Enclosed

03/12/2002 SZEWDIE1 00000064 09359975  
04 FC:118 550.00 OP

03/12/2002 SZEWDIE1 00000064 09359975  
01 FC:179 740.00 OP  
02 FC:102 84.00 OP  
03 FC:103 180.00 OP

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PATENT

- ☒ Amendment/Reply with copy of Declaration of David B. Weiner under 37 C.F.R. §1.132 filed in Serial Number 08/453,349.
- ☐ Affidavit(s)/Declaration(s)
- ☐ Information Disclosure Statement (IDS)
- ☐ Other:

## 2. Miscellaneous

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of @@ months. (Period of suspension shall not exceed three (3) months; Fee under 37 C.F.R. §1.17(i) required)

## FEE CALCULATION:

				SMALL ENTITY		NOT SMALL ENTITY	
<input checked="" type="checkbox"/> RCE BASIC FILING FEE				\$370.00	\$	\$740.00	\$740.00
	CLAIMS REMAINING AFTER RCE	HIGHEST NO. PAID FOR	EXTRA				
TOTAL CLAIMS	61	51 (20 MINIMUM)	10	\$9 EACH	\$	\$18 EACH	\$180
INDEP. CLAIMS	4	3 (3 MINIMUM)	1	\$42 EACH	\$	\$84 EACH	\$84
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$	\$290	\$0
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$200	\$	\$400	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$460	\$	\$920	\$
<input checked="" type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$720	\$	\$1440	\$1440
<input checked="" type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$ )	minus	(\$890)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
TOTAL FEE DUE							\$1554

☒ A check in the amount of \$1,554.00 is enclosed.


☒ A Notice of Appeal was filed August 23, 2001 and stamped received by the U.S. Patent and Trademark Office on August 28, 2001. An Appeal Brief is due on February 28, 2002. This RCE is being filed in lieu of the Appeal Brief. Accordingly, petition is hereby made under 37 C.F.R. 1.136(a) to extend the time period for response for filing of the Appeal Brief from **October 23, 2001** to and through **February 28, 2002** comprising an extension of the shortened statutory period of **four (4)** month(s).

☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

☒ The Commissioner is further authorized to charge any additional patent application processing fees under 37 C.F.R. §§1.136 and 1.17 to deposit account 23-3050.

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: Feb 28, 2002



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